

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LAVVAN, INC.,

Plaintiff,

-against-

AMYRIS, INC.,

Defendant.

No. 20-cv-07386 (JPO)

DECLARATION OF OLIVER J. FONG

I, Oliver J. Fong, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746, that the following is true and correct:

1. I am an attorney with the law firm of Gibson, Dunn & Crutcher LLP, counsel for Defendant Amyris, Inc. in the above-captioned matter. I respectfully submit this declaration in support of the Motion of Defendant Amyris, Inc. to Compel Arbitration or, in the alternative, Dismiss under Rule 12(b)(6) of the Federal Rules of Civil Procedure. I have personal knowledge of the facts set forth herein, and if called upon to testify, I could and would competently testify thereto.

2. Attached to this declaration as **Exhibit A** is a true and correct copy of [REDACTED]

[REDACTED]

3. Attached to this declaration as **Exhibit B** is a true and correct copy of the unredacted Complaint (the “Complaint”), (Dkt. No. 2), that Plaintiff filed in this action on September 10, 2020.

4. Attached to this declaration as **Exhibit C** is a true and correct copy of [REDACTED]

[REDACTED]

5. I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct.

EXECUTED this 2nd day of October, 2020.

/s/ Oliver J. Fong

Oliver J. Fong